

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231*JF*

| | | | |
|-----------------|-------------|----------------------|----------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY- DOCKET NO. |
| 09/032,305 | 02/27/98 | HENNHOFER | H HENNHOFER-ET |

COLLARD & ROE
1077 NORTHERN BOULEVARD
ROSLYN NY 11576

IM22/1229

KUNEMUND, R

| | |
|-------------|--------------|
| EXAMINER | |
| KUNEMUND, R | |
| ART-UNIT | PAPER NUMBER |
| 1765 | 9 |

DATE MAILED: 12/29/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

| | |
|-------------------------------|--------------------------------|
| Application No. 09/032,305 | Applicant(s) Hennofer et al |
| Examiner Robert Kunemund | Group Art Unit 1765 |



Responsive to communication(s) filed on Sep 17, 1999

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- Claim(s) 1 and 3-12 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- Claim(s) _____ is/are allowed.
- Claim(s) _____ is/are rejected.
- Claim(s) 1 and 3-12 is/are objected to.
- Claim(s) _____ are subject to restriction or election requirement.
- Claims _____

Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The drawing(s) filed on _____ is/are objected to by the Examiner.
- The proposed drawing correction, filed on _____ is approved disapproved.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All Some* None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) _____.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- Notice of References Cited, PTO-892
- Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- Interview Summary, PTO-413
- Notice of Draftsperson's Patent Drawing Review, PTO-948
- Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Application/Control Number: 09/032,305

Art Unit: 1765

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1 and 3 to 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lampert et al in view of Hayashida et al.

The Lampert et al reference teaches a method of polishing and oxidizing a silicon wafer. A silicon wafer is first polished by standard polishing techniques. Then a different aqueous solution is applied to the wafer. The solution contains an~~s~~ oxidization agent and alkali compound, note col. 2. The sole difference between the instant claims and the prior art is the specific compounds. However, the Hayashiha et al reference teaches the claimed alkali compounds used on silicon substrates, the compounds can be organic and inorganic. It would have been obvious to one of ordinary skill in the art to modify the Lampert et al reference by the teachings of

Application/Control Number: 09/032,305

Art Unit: 1765

the Hayashi et al reference to use specific compounds in order to prevent the introduction of impurities onto the cleaned substrate.

Response to Applicants' Arguments

Applicant's arguments filed September 27, 1999 have been fully considered but they are not persuasive.

Applicants' argument concerning the Nakashima and Parissis is deemed moot in view of the new ground of rejections.

Applicants' argument concerning the Hayashi et al reference is noted. However, the reference states that the alkali compounds can be either organic or inorganic, note, col. 4 line 5-7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Kunemund whose telephone number is (703) 308-1091. The examiner can normally be reached on Monday through Friday from 7:00 to 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ben Utech, can be reached on (703) 308-3836. The fax phone number for this Group is (703) 305-6357.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

RMK

December 17, 1999